



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/148,806 09/04/98 ARMSTRONG

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BRAD A ARMSTRONG  
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PARADISE CA 95967

WM01/0214

EXAMINER

EDWARDS JR, T

ART UNIT

PAPER NUMBER

2735

DATE MAILED: 02/14/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>SUPPLEMENTAL</b> <del>Notice of Allowability</del>	Application No.	Applicant(s)	
	09/148,806	ARMSTRONG, BRAD A.	
	Examiner	Art Unit	
	Timothy Edwards	2635	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 37 CFR 1.312 filed 1/9/01.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 04 September 1998 are acceptable as formal drawings.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☐ Applicant MUST submit NEW FORMAL DRAWINGS
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.**

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                    |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input checked="" type="checkbox"/> Other 37 CFR 1.312 response.         |

**Response to Rule 312 Communication**

Application No.

09/148,806

Applicant(s)

ARMSTRONG, BRAD A.

Examiner

Timothy Edwards

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☐ The petition filed on \_\_\_\_\_ under 37 CFR 1.312(b) is granted. The paper has been forwarded to the examiner for consideration on the merits.
2. ☐ The petition filed on \_\_\_\_\_ under 37 CFR 1.312(b) is dismissed.
- a) ☐ The requisite petition fee of \$\_\_\_\_\_ has not been received.
- b) ☐ Other :

\_\_\_\_\_  
Director  
Technology Center

3. ☒ The amendment filed on 09 January 2001 under 37 CFR 1.312 has been considered, and has been:
- a) ☐ entered.
- b) ☒ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved. See explanation below.
- d) ☐ entered in part. See explanation below.

*Request for new formal drawings is withdrawn.*

*The added language in claims 1, 2, 3, 5, and 11 does not change the scope of originally allowed claims. Therefore, the amendment is entered.*

*The terminal disclaimer filed Dec 28, 2000 has been entered.*

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

